

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN NICHOLAS VARVARA,

Defendant.

No. SA CR 22-00141-CJC

ORDER CONTINUING TRIAL DATE AND  
FINDINGS REGARDING EXCLUDABLE TIME  
PERIODS PURSUANT TO SPEEDY TRIAL  
ACT

**TRIAL DATE: 03-12-2024**

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by the parties in this matter on MARCH 21, 2023. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in a speedy trial; (ii) failure to grant the continuance would be likely to make a continuation of the proceeding impossible,

1 or result in a miscarriage of justice; and (iii) failure to grant the  
2 continuance would unreasonably deny defendant continuity of counsel  
3 and would deny defense counsel the reasonable time necessary for  
4 effective preparation, taking into account the exercise of due  
5 diligence.

6 THEREFORE, FOR GOOD CAUSE SHOWN:

7 1. The trial in this matter is continued from APRIL 25, 2023 to  
8 **MARCH 12, 2024 at 8:30 a.m.** The pretrial conference is continued to  
9 **MARCH 4, 2024 at 9:00 a.m.**

10 2. The time period of APRIL 25, 2023 to MARCH 12, 2024,  
11 inclusive, is excluded in computing the time within which the trial  
12 must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),  
13 and (B)(iv).

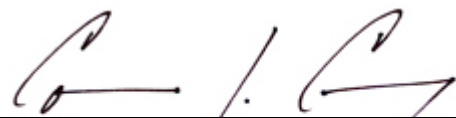
14 3. Defendant shall appear in Courtroom 9B of the Ronald Reagan  
15 Federal Building and U.S. Courthouse, 411 West Fourth Street, Santa  
16 Ana, California on MARCH 12, 2024 at 8:30 A.M.

17 4. Nothing in this Order shall preclude a finding that other  
18 provisions of the Speedy Trial Act dictate that additional time  
19 periods are excluded from the period within which trial must  
20 commence. Moreover, the same provisions and/or other provisions of  
21 the Speedy Trial Act may in the future authorize the exclusion of  
22 additional time periods from the period within which trial must  
23 commence.

24 IT IS SO ORDERED.

25  
26 March 21, 2023

27 DATE

28  


HONORABLE CORMAC J. CARNEY  
UNITED STATES DISTRICT JUDGE

1 Presented by:

2 /s/

3 NIKKI BURACCHIO ELKERTON  
4 Special Assistant  
5 United States Attorney  
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